

SENATE BILL NO. 13

INTRODUCED BY A. BISHOP

A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING ELECTION CAMPAIGNING TO 60 DAYS BEFORE A PRIMARY ELECTION AND TO 45 DAYS BEFORE A GENERAL ELECTION OR SPECIAL ELECTION; CREATING AN OFFENSE; AND PROVIDING DEFINITIONS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Time limits on campaigning -- offense as misdemeanor -- definitions.

(1) A candidate for public office or an individual, group of individuals, association, corporation, or other entity, including a political committee, supporting or opposing the election of the candidate or the adoption or rejection of a ballot issue may not campaign at any time other than within 60 days before a primary election or within 45 days before a general or special election. The time limitation provided in this subsection must be determined by counting backwards beginning with the day before the election. This section does not apply to a candidate in a federal election.

(2) A violation of subsection (1) is a misdemeanor and is punishable as provided by law. A statement by a candidate or other person or entity to whom subsection (1) applies that is published in the media described in subsection (3)(a) in violation of this section results in the commission of only one offense.

(3) For the purposes of this section, the following definitions apply:

(a) "Campaign" means the action of supporting or opposing, by a verbal statement in a public or quasi-public place to two or more other individuals or by a statement in the print, audio, or visual media, the election of a candidate or a ballot issue.

(b) "Quasi-public place" means real property, or in or on a structure located on real property, owned by a nongovernmental entity upon which the general public is welcome to enter at some hours of the day or night.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 13, chapter 35, and the provisions of Title 13, chapter 35, apply to [section 1].

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